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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/051,355

01/18/2002

Gameelah Ghafoor

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10/18/2007

MICHAEL CHAN

NCR CORPORATION

1700 SOUTH PATTERSON BLVD

DAYTON, OH 45479-0001

EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT

PAPER NUMBER

3691

MAIL DATE

DELIVERY MODE

10/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/051,355

Applicant(s)

GHAFOOR ET AL.

Examiner

Siegfried E. Chencinski

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. **Claim 12 is rejected under 35 U.S.C. 112, second paragraph**, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence that claim 12 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in Applicant's specification. In that paper, applicant has stated:

"The present invention relates to a self-service terminal (SST) and to a method of operating an SST. In particular, the invention relates to an automated teller machine (ATM), and to a method of operating an ATM.

ATMs provide users with a convenient source of cash in an unattended environment. However, to benefit from this convenience a user must be able physically to access an ATM, and must also be able to input data requested by the ATM such as a personal identification number (PIN), an amount of cash to be withdrawn, and such like data. As a result, certain people are not able to use ATMs, for example, because they are confined to a home, because they have a visual impairment, because an ATM is located in an area that is not physically accessible for them, or such like reason.

To overcome this problem, some people entrust their ATM card and PIN to a third party for conducting transactions on their behalf; but this is undesirable because it may lead to fraud, for example, if the third party withdraws more money than they are asked to withdraw, or if the third party makes unauthorized withdrawals.

It is among the objects of an embodiment of the present invention to obviate or mitigate one or more of the above disadvantages, or other disadvantages associated with conventional SSTs.

According to a first aspect of the present invention there is provided a self-service terminal having a user interface including means for identifying a

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user, characterized in that the terminal includes means for obtaining contact information for a communications device associated with a user; and contact means for establishing a link with the communications device to allow a transaction to be entered thereby.

Preferably, an entire transaction is entered using the communications device, where an entire transaction includes entry of an identification, such as a PIN, and entry of transaction data, such as an amount of money to be withdrawn.

The communications device is retained by a user, and is used as an alternative to any input device on the SST, such as a keypad, touchscreen, function display keys (FDKs), or such like. Thus, the communications device is used as an alternative input means.

In one embodiment, the communications device is located remotely from the SST during a transaction. This allows a person ("the user") to enter a transaction at a remote location while another person, who is located at the SST, receives any item dispensed from the SST as a result of the transaction entered by the user.

By virtue of this embodiment of the invention an account holder ("the user") who is unable to access or use an ATM is able to provide a third party with a token that the third party presents to the ATM. The account holder ("the user") is contacted by the ATM when a transaction is to be entered. The account holder can then enter a security code (such as a PIN) and transaction details (such as withdraw twenty pounds sterling). This enables an account holder to allow a third party to collect money or other media from their account using an ATM, without having to divulge a PIN or other security code to the third party, thereby minimizing the potential for abuse of trust."

In another embodiment, the communications device is located locally at the SST during a transaction so that the person who operates the communications device ("the user") is the person who receives any item dispensed from the SST as a result of the transaction.

By virtue of this embodiment of the invention, a self-service terminal is operable to identify a user and to dial a user's telephone so that the user can enter a transaction using the telephone rather than the terminal's user interface. One advantage of this embodiment of the invention is that the user does not have to determine the telephone number of the SST, because the SST calls the user's communications device once the user has been identified. For a visually-impaired user who has no difficulty in physically accessing an SST, this obviates any requirement for a third party to assist with a transaction. (Specification, p. 1, l. 3 – p.2, l. 28).

This statement indicates that the invention is different from what is defined in the claim because the claim's elements fail to embody even one full embodiment of Applicant's invention in the functional limitations. "enabling the ATM to contact ..." and ... "so that a transaction may be entered" are non-functional descriptive language.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja et al. (US PreGrant Publication 2001/0056402 A1) in view of Savage et al. (US Patent 7,194,414 B1, hereafter Savage).

Re. Claims 1, 11 & 12, Ahujah discloses a method, system and an apparatus for accessing financial information or conducting financial transactions and, more particularly, to an improved system and method for accessing financial information or conducting financial transactions using wireless communications devices, such as cellular telephones, personal digital assistants, and other web-enabled wireless devices (Abstract). This includes operating an Automated Teller Machine, ATM, the method

comprising the steps of:

- (a) identifying a user (Fig's 1 & 2, reading a card through a card reader in the communications front end);
- (c) establishing a telecommunications link with the communications device (p. 2, [0038]-II. 4-6; [0017]-II. 4-6).

Ahujah does not explicitly disclose (b) obtaining contact information with the identified user.

However, Savage discloses obtaining contact information with the identified user (Col. 4, II. 15-18).

The phrases "which enables the ATM to contact a communications device associated" and "so that a transaction may be executed via the link" are non-functional descriptive information and therefore carry no patentable weight.

Regarding claim 11, it has been held that "mere duplication of parts has no patentable significance unless a new and unexpected result is produced" (MPEP 2144.04 B, *In re Harza*). Claim 11 has no added patentable significance over the single ATM of claim 1 and 12 since no unexpected result is claimed or contained in the disclosure.

Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have found it obvious to have used the disclosures of Ahujah combined with those of Savage in order to establish a method, system and an apparatus for operating one or more Automated Teller Machine(s), ATM('s), which includes establishing a telecommunications link with the communications device(s) so that a transaction may be executed via the link, motivated by a desire to facilitate communication with a user (Col. 1, II. 7-8).

Re. Claims 3 & 14, Ahujah discloses directly establishing a telecommunications link with the communications device (p. 3, II. [0046],[0047]).

Re. Claims 4 & 15, Ahujah discloses requesting a remote transceiver to establish a telecommunications link with the communications device (p. 3, II. [0046],[0047]).

Re. Claims 5 & 16, a summary of the disclosures by Ahujah are contained in the rejection of independent claim 12 above.

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Ahujah discloses method of operating an automated teller machine (ATM), the method comprising the steps of:

- (a) identifying an ATM customer desiring to carry out an ATM transaction (Fig's 1 & 2, reading a card through a card reader in the communications front end);
- (c) establishing a link with the communications device associated with the ATM customer (p. 2, [0038]-II. 4-6; [0017]-II. 4-6).

Ahujah does not explicitly disclose (b) obtaining contact information with the identified ATM customer. However, Savage discloses obtaining contact information with the identified ATM customer (Col. 4, ll. 15-18).

The phrases "which enables the ATM to contact a communications device associated" and "to allow the ATM customer to enter the desired transaction" are non-functional descriptive information and therefore carry no patentable weight.

Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have found it obvious to have used the disclosures of Ahujah combined with those of Savage in order to establish a method, system and an apparatus for operating an Automated Teller Machine, ATM, which includes establishing a telecommunications link with the communications device so that a transaction may be executed via the link, motivated by a desire to facilitate communication with a user (Col. 1, ll. 7-8).

Re. Claim 6, please see an overview of the disclosure of Ahujah in the rejection of claims 1 and 12. Ahujah discloses a means for establishing a link with the communications device based upon the obtained contact information to allow the ATM customer to enter an ATM transaction (Fig's 1 & 2, reading a card through a card reader in the communications front end; p. 2, [0038]-II. 4-6; [0017]-II. 4-6).

Ahujah does not explicitly disclose a) a cash dispenser for dispensing cash; means for controlling the cash dispenser to dispense cash when the entered ATM transaction requires cash to be dispensed; and means for obtaining contact information which enables the ATM to contact a communications device associated with an ATM customer. However, Savage discloses a cash dispenser for dispensing cash; and means for obtaining contact information which enables the ATM to contact a communications device associated with an ATM customer (Col. 4, ll. 15-18). Therefore,

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an ordinary practitioner of the art at the time of Applicant's invention would have found it obvious to have used the disclosures of Ahujah combined with those of Savage in order to establish a method, system and an apparatus for operating an Automated Teller Machine, ATM, which includes establishing a telecommunications link with the communications device so that a transaction may be executed via the link, motivated by a desire to facilitate communication with a user (Col. 1, ll. 7-8).

Re. Claim 8, Ahujah discloses wherein the contact means includes means for directly contacting the communications device associated with the ATM customer (p. 3, ll. [0046],[0047]).

Re. Claim 9, Ahujah discloses wherein the contact means includes means for requesting a remote transceiver to establish a link with the communications device associated with the ATM customer (p. 3, [0044]-[0050]).

Re. Claim 10, please see an overview of the disclosure of Ahujah in the rejection of claims 1 and 12. Ahujah also discloses means for obtaining a telephone number for a telephone associated with an ATM customer (p. 3, [0044]-[0050]); and means for establishing a link with the telephone based upon the obtained telephone number to allow the ATM customer to enter an ATM transaction (Fig's 1 & 2, reading a card through a card reader in the communications front end; p. 2, [0038]-ll. 4-6; [0017]-ll. 4-6).

Ahujah does not explicitly disclose a) a cash dispenser for dispensing cash; means for controlling the cash dispenser to dispense cash when the entered ATM transaction requires cash to be dispensed; and means for obtaining contact information which enables the ATM to contact a communications device associated with an ATM customer. However, Savage discloses a cash dispenser for dispensing cash; and means for obtaining contact information which enables the ATM to contact a communications device associated with an ATM customer (Col. 4, ll. 15-18). Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have found it obvious to have used the disclosures of Ahujah combined with those of Savage in order to establish a method, system and an apparatus for operating an Automated Teller Machine, ATM, which includes establishing a telecommunications link with the

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communications device so that a transaction may be executed via the link, motivated by a desire to facilitate communication with a user (Col. 1, ll. 7-8).

Re. Claim 18, Ahujah discloses directly establishing the link with the communications device associated with the ATM customer (p. 3, [0044]).

Re. Claim 19, Ahujah discloses requesting a remote transceiver to establish the link with the communications device associated with the ATM customer (p. 3, [0044]-[0050]).

Claims 2 & 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja in view of Savage as applied to the rejections of claims 2 and 13 above, and further in view of Official Notice.

Re. Claims 2 & 13, neither Ahujah nor Savage explicitly disclose retrieving a telephone number to be called to establish a telecommunications link with the communications device. However, the examiner takes Official Notice that financial account owner records usually contain telephone numbers for contacting the account owner/user. It would have been obvious to one of ordinary skill to have included system accessible telephone numbers available for contacting customer users. Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have found it obvious to have used the disclosures of Ahujah combined with those of Savage and Official Notice in order to establish a method, system and an apparatus for operating an Automated Teller Machine, ATM, which includes establishing a telecommunications link with the communications device so that a transaction may be executed via the link, motivated by a desire to facilitate communication with a user (Col. 1, ll. 7-8).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja in view of Savage as applied to the rejections of claim 6 above, and further in view of Official Notice.

Re. Claim 7, see the rejection of claims 2 & 13 regarding means for retrieving data relating to a telephone number to be called to establish a link with the communications device associated with the ATM customer.

Claims 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja in view of Savage as applied to the rejections of claims 16 and 17 above, and further in view of Walker et al. (US Patent 6,327,348 B1, hereafter Walker).

Re. Claim 17, cash is the most notable of the items of value delivered through ATM's. Ahujah does not explicitly disclose the dispensing of cash. However, Savage discloses the dispensing of cash through an ATM (Col. 2, l. 67 – Col. 3, l. 1). Further, neither Ahujah nor Savage explicitly disclose delivering an item of value to a second person located at the ATM, who is different from the customer. However, Walker discloses a financial transaction in which a "first person" may authorize a transaction between the second person and a third party (e.g. a merchant) (Abstract, ll. 2-7). One of ordinary skill in the art would have seen it as obvious to have applied Walker's teaching to an ATM transaction situation where the authorizer approves a transaction involving the delivery of an item of value from their account by the second person. Therefore, a practitioner of the art at the time of Applicant's invention would have found it obvious to have combined the disclosures of Ahujah, Savage and Walker for the purpose of designing a method, system and an apparatus of operating an automated teller machine (ATM) in which a transaction which involves the use of a PIN and two persons, motivated by a desire to permit a first person to control the authorization or denial of a transaction executed by a user based on circumstances surrounding the transaction (Abstract, ll. 16-18).

Re. Claim 20, Ahujah discloses the use of an ATM in which the identified person delivers a Personal Identification Number, PIN, to the ATM (p. 4, [0052]-ll. 4-5). Neither Ahujah nor Savage explicitly disclose a second person. However, Walker discloses a financial transaction in which a "first person" may authorize a transaction between the second person and a third party (Abstract, ll. 2-7). In this case the authorizing person is the only one who needed to provide a PIN number while the recipient did not need to provide such a security hurdle. One of ordinary skill would have seen it as obvious to have included the use of a PIN for approval of a financial transaction involving their financial account involving a second person at an ATM. Therefore, a practitioner of the

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art at the time of Applicant's invention would have found it obvious to have combined the disclosures of Ahujah, Savage and Walker for the purpose of designing a method, system and an apparatus of operating an automated teller machine (ATM) in which a transaction which involves the use of a PIN and two persons, motivated by a desire to permit a first person to control the authorization or denial of a transaction executed by a user based on circumstances surrounding the transaction (Abstract, ll. 16-18).

Response to Arguments

3. Applicant's arguments filed July 10, 2007 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is (571)272-6792. The Examiner can normally be reached Monday through Friday, 9am to 6pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Alexander Kalinowski, can be reached on (571) 272-6771.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington D.C. 20231

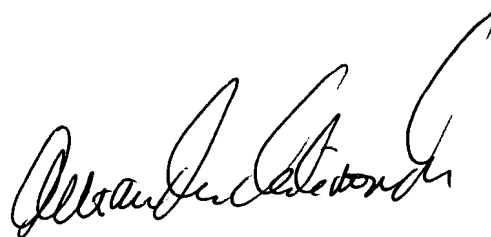
or Faxed to (571)273-8300 [Official communications; including After Final communications labeled "Box AF"]

or Faxed to (571) 273-6792 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the address found on the above USPTO web site in Alexandria, VA.

SEC

October 10, 2007

A handwritten signature in black ink, appearing to read 'Alexander Kalinowski', written in a cursive style.

ALEXANDER KALINOWSKI
SUPERVISORY PATENT EXAMINER